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on Aug. 23, 2007

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Vincent J. Gnoffo, Reg. No. 44,714

Name of applicant, assignee or
Registered Representative

Signature

Aug. 23, 2007

Date of Signature

Our Case No. 8285/628
Client Ref. No. A00569-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Bruce E. Stuckman et al.

Serial No. 10/622,071

Filing Date: July 16, 2003

For TELEPHONE SET HAVING A
HELP KEY AND METHODS AND
SYSTEMS FOR USE THEREWITH

Examiner Rasha Al-Aubaidi

Group Art Unit No.: 2614

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants request review of the final rejection that was mailed July 6, 2007 in the above-identified application. No amendments to the claims are being filed with this request.

This request is being filed with a notice of appeal

The review is requested for the reasons stated on the attached sheets. No more than five (5) pages are provided.

REMARKS

I. Introduction

Claims 26-47 are pending in the application. The Final Office Action dated July 6, 2007 rejected claims 26-47 under 35 U.S.C. § 101 for statutory double patenting.

II. The Office Action is incorrect regarding the supposed statutory double patenting

Claims 26-47 stand rejected under 35 U.S.C. 101 as claiming the same invention of claims 1-25 of commonly assigned U.S. Patent No. 6,618,478 ('478 patent). Unlike the '478 patent, the pending claims do not recite that actuation of the help and the first telephone service key is "simultaneous." The Final Office Action appears to be confused with regard to this point. The Final Office Action states that the '478 patent teaches and claims simultaneous actuation. Applicants agree. It's pending claims 26-47 that Applicants noted did not recite simultaneous actuation.

III. Conclusion

For at least the above reasons, Applicants respectfully request review of the final rejection directed against the current application and withdrawal of the rejections against the claims.

Respectfully submitted,



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